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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,617	01/02/2002	Amnon A. Strasser	Q67549	6027

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EXAMINER

IQBAL, NADEEM

ART UNIT	PAPER NUMBER
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2114

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/032,617

Applicant(s)

STRASSER, AMNON A.

Examiner

Nadeem Iqbal

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-74 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-74 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.


Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


NADEEM IQBAL
PRIMARY EXAMINER

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Amendment

This office action is in response to an amendment filed on March 5, 2005. The 35 USC 112 rejection pertain to claims 22, 52, and 64 have been withdrawn by the Examiner due to amendments/remarks provided for these claims by the Applicant.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ofek et al., (U.S. Patent number 6,052,797) in view of Byrd (U.S. Patent number 4,763,333).

3. As per claim 1, Ofek et al., (Ofek) teaches (col. 6, lines 10-12) a system which provides a remote mirrored data storage system. He also teaches (col. 6, lines 21-24) a host computer system coupled to a first and primary data storage system 14, the primary data storage system includes a primary data storage system controller. The storage system includes a plurality of data storage devices and cache memory 28. He thus teaches limitations pertain to a main sub-system comprising a main control unit, a main volatile memory, and a main non-volatile memory. He also teaches (col. 6, lines 63-66) a high speed communication link 40, a secondary data storage system controller, and a secondary data storage system. He thus teaches limitations pertain to a mirror sub-system comprising a redundant control unit, a redundant volatile memory, and a redundant non-volatile memory, and a communication link coupled between the main sub-

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system and the mirror sub-system (See fig. 1). He does not explicitly disclose an uninterruptible power supply connected to the main sub-system and the mirror sub-system. Byrd teaches (col. 2, lines 50-52) an uninterruptible power supply. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the uninterruptible power supply of Byrd into the system of Ofek. This is because Byrd teaches (50-52) as an advantage of his system to provide work saving with an uninterruptible power supply to supply power when the main power supply is interrupted. Therefore provides motivation to a person of ordinary skill in the art for the stated inclusion.

4. As per claims 2 & 3, Ofek teaches (col. 6, lines 10-12) a system that provides a remote mirrored data storage system which contains identical information to that stored on a primary data storage system.

5. As per claim 4, Ofek teaches as stated per claim 1 above the primary data storage system includes a primary data storage system controller.

6. As per claim 5, Ofek teaches (col. 6, lines 27-29) primary data storage system controller coupled to a storage device, the storage devices may include disk drives, optical disks, CDs or other storage devices.

7. As per claims 6 & 7, Ofek also teaches (col. 6, lines 63-66) a high speed communication link 40 to a disk adaptor on a secondary data storage system.

8. As per claims 8-10, Ofek teaches (col. 7, lines 63-65) a high speed data link 40 between the primary and secondary data storage systems designed such that multiple links between the primary and secondary storage system may be maintained for enhanced availability of data.

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9. As per claims 11 & 12, Ofek teaches as stated above a high speed data link 40 between the primary and secondary data storage systems designed such that multiple links between the primary and secondary storage system may be maintained for enhanced availability of data.

Therefore his communication link would include a processor bus, a PCI network, an infiniband network, a LAN or WAN networks.

10. As per claims 13 & 14, Byrd teaches (col. 2, lines 57-58) that the power mean may, for example, include a storage battery.

11. As per claim 15, Byrd teaches (col. 2, lines 54-56) that the system includes a monitor circuit which generates signals when the main power supply is interrupted and restored and which monitor the condition of the power supply means, thereby providing means for exchanging status information.

12. As per claim 16, Ofek teaches as stated above a high speed data link 40 between the primary and secondary data storage systems designed such that multiple links between the primary and secondary storage system may be maintained for enhanced availability of data.

13. As per claim 17, Ofek teaches (col. 6, lines 27-29) primary data storage system controller coupled to a storage device, the storage devices may include disk drives, optical disks, CDs or other storage devices.

14. As per claim 18, Ofek teaches as stated per claim 1 above that the storage system includes a plurality of data storage devices and cache memory 28.

15. As per claim 19, As per claim 5, Ofek teaches (col. 6, lines 27-29) primary data storage system controller coupled to a storage device, the storage devices may include disk drives, optical disks, CDs or other storage devices. Byrd also teaches a ROM (Fig. 3), which is well

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know in the art to be a non-volatile memory, flash memory, a programmable read only memory and similar of a kind.

16. As per claims 20 & 21, Ofek teaches (Abstract) that data written to a primary volume is automatically sent over the link to a corresponding secondary volume, thus performing periodically storing data from the main volatile memory to a backup memory.

17. As per claim 22, Ofek teaches (col. 25, lines 12-14) that a number of different recovery procedures are available to respond to various device and system failures or outages. The recovery procedures that are used should depend on the kind of failure or outage, the degree of host or user involvement that is deemed necessary or appropriate.

18. As per claims 23 & 24, Byrd teaches (col. 2, lines 54-56) that the system includes a monitor circuit which generates signals when the main power supply is interrupted and restored and which monitors the condition of the power supply. He thus teaches to monitor the external voltage level for less than a predetermined level.

19. As per claim 25, Byrd teaches (col. 2, lines 65-68) that when a main power interruption is signaled by the monitor circuit, the program directs the transfer of the application programs and operating system from the computer's RAM to the work saving system's auxiliary memory.

20. As per claim 26, Byrd teaches (col. 3, lines 8-10) that upon reliably restoration of main AC power, the ROM firmware causes the CPU to reload the application program and operating system into the computer's RAM and the state of the CPU to be restored.

21. As per claims 27-29, Byrd teaches (col. 2, lines 54-56) that the system includes a monitor circuit which generates signals when the main power supply is interrupted and restored and

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which monitors the condition of the power supply. He thus teaches to monitor the external voltage level for a predetermined level.

22. As per claims 30 & 31, Ofek teaches (col. 6, lines 30-32) the storage devices may include disk drives, optical disks, CDs or other data storage devices, the primary data storage controller also includes cache memory 28. Byrd also teaches (Fig. 3) main volatile memory RAM. This would be well known to be plurality of RAMs.

23. As per claim 32, Byrd teaches (col. 3, lines 3-5) that when the output voltage of the power supply means drops low enough, the computer is powered down to conserve the remaining energy of the power supply.

24. As per claim 33, Ofek teaches (col. 6, lines 18-20) the present invention in Fig. 1, includes a host computer system coupled a storage device, which may include plurality of data storage devices.

25. As per claim 34, Ofek teaches (col. 60-63) a host computer system, primary data storage system controller coupled to the internal bus via a high speed communications link to a disk adapter on a secondary data storage system controller of a second data storage system. Therefore the computer system forms a network of computers.

26. As per claim 35, Ofek substantially teaches the claimed invention as disclosed related to claim 1 above. He also teaches (col. 6, lines 10-12) a system which provides a remote mirrored data storage system. He also teaches (col. 6, lines 21-24) a host computer system coupled to a first and primary data storage system 14, the primary data storage system includes a primary data storage system controller. The storage system includes a plurality of data storage devices and cache memory 28. He thus teaches limitations pertain to a method for transferring data between a

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main volatile memory and backup memory in a system having main sub-system and a mirror sub-system. He also teaches (col. 6, lines 63-66) a high speed communication link 40, a secondary data storage system controller, and a secondary data storage system. He thus teaches limitations pertain to transferring data from the main volatile memory to the backup memory. He does not explicitly disclose an uninterruptible power supply connected to the main sub-system and the mirror sub-system. Byrd teaches (col. 2, lines 50-52) an uninterruptible power supply. It would have been obvious to a person of ordinary skill in the art to include the uninterruptible power supply of Byrd into the system of Ofek. This is because Byrd teaches (50-52) as an advantage of his system to provide work saving with an uninterruptible power supply to supply power when the main power supply is interrupted. Therefore provides motivation to a person of ordinary skill in the art for the stated inclusion.

27. As per claim 36, Ofek teaches (col. 7, lines 20-23) a secondary data storage system includes secondary data storage system controller, a second data storage device including a plurality of storage devices.

28. As per claims 37 & 38, Ofek teaches (col. 6, lines 30-32) the storage devices may include disk drives, optical disks, CDs or other data storage devices, the primary data storage controller also includes cache memory 28. Byrd also teaches (Fig. 3) main volatile memory RAM. This would be well known to be plurality of RAMs.

29. As per claims 39 & 40, Ofek teaches as stated per claim 1 above that the storage system includes a plurality of data storage devices and cache memory 28.

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30. As per claim 41, Byrd teaches (col. 2, lines 54-56) that the system includes a monitor circuit which generates signals when the main power supply is interrupted and restored and which monitors the condition of the power supply. He thus provides the ability to cease the data transfer upon detection of power failure.

31. As per claim 42, Ofek substantially teaches the claimed invention as disclosed related to claim 1 above. He also teaches (col. 6, lines 10-12) a system which provides a remote mirrored data storage system. He also teaches (col. 6, lines 21-24) a host computer system coupled to a first and primary data storage system 14, the primary data storage system includes a primary data storage system controller. The storage system includes a plurality of data storage devices and cache memory 28. He thus teaches limitations pertain to a method for transferring data between a main volatile memory and backup memory in a system having main sub-system and a mirror sub-system. He also teaches (col. 6, lines 63-66) a high speed communication link 40, a secondary data storage system controller, and a secondary data storage system. He thus teaches limitations pertain to transferring data from the main volatile memory to the backup memory. He does not explicitly disclose an uninterruptible power supply connected to the main sub-system and the mirror sub-system. Byrd teaches (col. 2, lines 50-52) an uninterruptible power supply. It would have been obvious to a person of ordinary skill in the art to include the uninterruptible power supply of Byrd into the system of Ofek. This is because Byrd teaches (50-52) as an advantage of his system to provide work saving with an uninterruptible power supply to supply power when the main power supply is interrupted. Therefore provides motivation to a person of ordinary skill in the art for the stated inclusion.

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32. As per claim 43, Ofek teaches (col. 7, lines 20-23) a secondary data storage system includes secondary data storage system controller, a second data storage device including a plurality of storage devices.

33. As per claims 44 & 45, Ofek teaches (col. 6, lines 30-32) the storage devices may include disk drives, optical disks, CDs or other data storage devices, the primary data storage controller also includes cache memory 28. Byrd also teaches (Fig. 3) main volatile memory RAM. This would be well known to be plurality of RAMs.

34. As per claims 46 & 47, Ofek teaches as stated per claim 1 above that the storage system includes a plurality of data storage devices and cache memory 28.

35. As per claim 48, Byrd teaches (col. 2, lines 54-56) that the system includes a monitor circuit which generates signals when the main power supply is interrupted and restored and which monitors the condition of the power supply. He thus provides the ability to cease the data transfer upon detection of power failure.

36. As per claim 49, As per claim 33, Ofek teaches (col. 6, lines 18-20) the present invention in Fig. 1, includes a host computer system coupled a storage device, which may include plurality of data storage devices.

37. As per claim 50, Ofek teaches (col. 60-63) a host computer system, primary data storage system controller coupled to the internal bus via a high speed communications link to a disk adapter on a secondary data storage system controller of a second data storage system. Therefore the computer system forms a network of computers.

38. As per claim 51, Ofek substantially teaches the claimed invention as disclosed related to claim 1 above. He also teaches (col. 6, lines 10-12) a system which provides a remote mirrored

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data storage system. He also teaches (col. 6, lines 21-24) a host computer system coupled to a first and primary data storage system 14, the primary data storage system includes a primary data storage system controller. The storage system includes a plurality of data storage devices and cache memory 28. He thus teaches limitations pertain to a method for transferring data between a main volatile memory and backup memory in a system having main sub-system and a mirror sub-system. He also teaches (col. 6, lines 63-66) a high speed communication link 40, a secondary data storage system controller, and a secondary data storage system. He thus teaches limitations pertain to transferring data from the main volatile memory to the backup memory. He does not explicitly disclose an uninterruptible power supply connected to the main sub-system and determining if the redundant control unit completed transfer of data. Byrd teaches (col. 2, lines 54-56) that the system include a monitor circuit which generates signals when the main power supply is interrupted and restored and which monitors the condition of the power supply. He thus teaches to monitor the external voltage level for a predetermined level. Byrd teaches (col. 3, lines 3-5) that when the output voltage of the power supply means drops low enough, the computer is powered down to conserve the remaining energy of the power supply. It would have been obvious to a person of ordinary skill in the art to include the uninterruptible power supply of Byrd into the system of Ofek. This is because Byrd teaches (50-52) as an advantage of his system to provide work saving with an uninterruptible power supply to supply power when the main power supply is interrupted. Therefore provides motivation to a person of ordinary skill in the art for the stated inclusion.

39. As per claim 52, Byrd teaches (col. 3, lines 3-5) that when the output voltage of the power supply means drops low enough, the computer is powered down to conserve the

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remaining energy of the power supply. It would have been obvious to a person of ordinary skill in the art to include the uninterruptible power supply of Byrd into mirror system of Ofek. This is because Byrd teaches (50-52) as an advantage of his system to provide work saving with an uninterruptible power supply to supply power when the main power supply is interrupted.

Therefore provides motivation to a person of ordinary skill in the art for the stated inclusion.

40. As per claims 53 & 54, Ofek teaches as stated per claim 1 above that the storage system includes a plurality of data storage devices and cache memory 28.

41. As per claims 55 & 56, Ofek teaches (col. 6, lines 30-32) the storage devices may include disk drives, optical disks, CDs or other data storage devices, the primary data storage controller also includes cache memory 28. Byrd also teaches (Fig. 3) main volatile memory RAM. This would be well known to be plurality of RAMs.

42. As per claim 57, Byrd teaches (col. 2, lines 54-56) that the system includes a monitor circuit which generates signals when the main power supply is interrupted and restored and which monitors the condition of the power supply. He thus provides the ability to cease the data transfer upon detection of power failure.

43. As per claim 58, As per claim 33, Ofek teaches (col. 6, lines 18-20) the present invention in Fig. 1, includes a host computer system coupled a storage device, which may include plurality of data storage devices.

44. As per claim 59, Ofek teaches (col. 60-63) a host computer system, primary data storage system controller coupled to the internal bus via a high speed communications link to a disk adapter on a secondary data storage system controller of a second data storage system. Therefore the computer system forms a network of computers.

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45. As per claim 60, Byrd teaches (col. 3, lines 3-5) that when the output voltage of the power supply means drops low enough, the computer is powered down to conserve the remaining energy of the power supply. It would have been obvious to a person of ordinary skill in the art to realize that he would also turns on the uninterruptible power supply if the voltage level is above the predetermined level. This is because Byrd teaches (col. 3, lines 3-5) that when the output voltage of the power supply means drops low enough, the computer is powered down to conserve the remaining energy of the power supply., therefore if the voltage level is above the predetermined level he would clearly turns on the uninterruptible power supply.

46. As per claims 61 & 62, Byrd teaches (col. 2, lines 54-56) that the system includes a monitor circuit which generates signals when the main power supply is interrupted and restored and which monitors the condition of the power supply. He thus teaches to monitor the external voltage level for a predetermined level.

47. As per claim 63, Ofek substantially teaches the claimed invention as disclosed related to claim 1 above. He also teaches (col. 6, lines 10-12) a system which provides a remote mirrored data storage system. He also teaches (col. 6, lines 21-24) a host computer system coupled to a first and primary data storage system 14, the primary data storage system includes a primary data storage system controller. The storage system includes a plurality of data storage devices and cache memory 28. He thus teaches limitations pertain to a method for transferring data between a main volatile memory and backup memory in a system having main sub-system and a mirror sub-system. He also teaches (col. 6, lines 63-66) a high speed communication link 40, a secondary data storage system controller, and a secondary data storage system. He thus teaches limitations pertain to transferring data from the main volatile memory to the backup memory. He

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does not explicitly disclose an uninterruptible power supply connected to the main sub-system and determining if the redundant control unit completed transfer of data. Byrd teaches (col. 2, lines 54-56) that the system include a monitor circuit which generates signals when the main power supply is interrupted and restored and which monitors the condition of the power supply. He thus teaches to monitor the external voltage level for a predetermined level. Byrd teaches (col. 3, lines 3-5) that when the output voltage of the power supply means drops low enough, the computer is powered down to conserve the remaining energy of the power supply. It would have been obvious to a person of ordinary skill in the art to include the uninterruptible power supply of Byrd into the system of Ofek. This is because Byrd teaches (50-52) as an advantage of his system to provide work saving with an uninterruptible power supply to supply power when the main power supply is interrupted. Therefore provides motivation to a person of ordinary skill in the art for the stated inclusion.

48. As per claim 64, Byrd teaches (col. 3, lines 3-5) that when the output voltage of the power supply means drops low enough, the computer is powered down to conserve the remaining energy of the power supply. It would have been obvious to a person of ordinary skill in the art to include the uninterruptible power supply of Byrd into mirror system of Ofek. This is because Byrd teaches (50-52) as an advantage of his system to provide work saving with an uninterruptible power supply to supply power when the main power supply is interrupted. Therefore provides motivation to a person of ordinary skill in the art for the stated inclusion.

49. As per claims 65 & 66, Ofek teaches as stated per claim 1 above that the storage system includes a plurality of data storage devices and cache memory 28.

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50. As per claims 67 & 68, Ofek teaches (col. 6, lines 30-32) the storage devices may include disk drives, optical disks, CDs or other data storage devices, the primary data storage controller also includes cache memory 28. Byrd also teaches (Fig. 3) main volatile memory RAM. This would be well known to be plurality of RAMs.

51. As per claim 69, Byrd teaches (col. 2, lines 54-56) that the system includes a monitor circuit which generates signals when the main power supply is interrupted and restored and which monitors the condition of the power supply. He thus provides the ability to cease the data transfer upon detection of power failure.

52. As per claim 70, As per claim 33, Ofek teaches (col. 6, lines 18-20) the present invention in Fig. 1, includes a host computer system coupled a storage device, which may include plurality of data storage devices.

53. As per claim 71, Ofek teaches (col. 60-63) a host computer system, primary data storage system controller coupled to the internal bus via a high speed communications link to a disk adapter on a secondary data storage system controller of a second data storage system. Therefore the computer system forms a network of computers.

54. As per claim 72, Byrd teaches (col. 3, lines 3-5) that when the output voltage of the power supply means drops low enough, the computer is powered down to conserve the remaining energy of the power supply. It would have been obvious to a person of ordinary skill in the art to realize that he would also turns on the uninterruptible power supply if the voltage level is above the predetermined level. This is because Byrd teaches (col. 3, lines 3-5) that when the output voltage of the power supply means drops low enough, the computer is powered down

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to conserve the remaining energy of the power supply., therefore if the voltage level is above the predetermined level he would clearly turns on the uninterruptible power supply.

55. As per claims 73 & 74, Byrd teaches (col. 2, lines 54-56) that the system includes a monitor circuit which generates signals when the main power supply is interrupted and restored and which monitors the condition of the power supply. He thus teaches to monitor the external voltage level for a predetermined level.

Response to Arguments

1. Applicant's arguments filed March 5, 2005 have been fully considered but they are not persuasive. Examiner has changed the rejection of claims 1-74 from a 35 USC 102 rejection to a 35 USC 103 rejection. Therefore Applicant's remarks pertain to read-only memory of Byrd and a non-volatile memory is moot. The non-volatile memory referred in Ofek is a disk storage system, which is well know in the art to provide the ability to be read and written. The system of Ofek is clearly a mirrored data storage system. The communication link in Ofek is a high speed communication link 40. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

56. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching,

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suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Byrd teaches (col. 2, lines 50-52) an uninterruptible power supply. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the uninterruptible power supply of Byrd into the system of Ofek. This is because Byrd teaches (50-52) as an advantage of his system to provide work saving with an uninterruptible power supply to supply power when the main power supply is interrupted. Therefore provides motivation to a person of ordinary skill in the art for the stated inclusion.

Conclusion

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

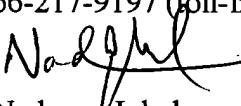
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nadeem Iqbal whose telephone number is (703)-308-5228. After Oct. 15, Examiner telephone number would be changed to (571) 272-3659. The examiner can normally be reached on M-F (8:00-5:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W Beausoliel can be reached on (703)-305-9713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Nadeem Iqbal
Primary Examiner
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NI